



# CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 7, 2004  
Date of Deposit

Kent E. Genin  
Name of Applicant, Assignee or  
Registered Representative

Kent E. Genin  
Signature

January 7, 2004  
Date of Signature

RECEIVED  
JAN 13 2004  
TECHNOLOGY CENTER R3700

Our Case No.: 6298/308

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

M. Foley et al.

Serial No.: 09/409,792

Filing Date: September 30, 1999

For: EXHALATION VALVE FOR FACE  
MASK WITH SPACER CHAMBER

Examiner: A. Lewis

Group Art Unit No.: 3735

## FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Fourth Supplemental Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

The references now cited are the following:

**U.S. PATENTS**

<u>Patent No.</u>	<u>Date</u>	<u>Inventor</u>
4,016,878	04/12/77	Castel et al.

**FOREIGN DOCUMENTS**

<u>Document No.</u>	<u>Date</u>	<u>Country</u>
EP 0 139 363 A1	05/02/85	Europe

In accordance with 37 C.F.R. § 1.97(g),(h), this Fourth Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Fourth Supplemental Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Fourth Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kent E. Genin", written over a horizontal line.

Kent E. Genin  
Registration No. 37,834  
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE  
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FORM PTO-1449	SERIAL NO. 09/409,792	CASE NO. 6298/308
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE September 30, 1999	GROUP ART UNIT 3735
(use several sheets if necessary)		APPLICANT(S): M. Foley et al.

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	E1	4,016,878	04/12/77	Castel et al.		

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	E2	EP 0 139 363 A1	05/02/85	Europe		

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EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.